SATURDAY, NOVEMBER 21, 1868.

Covernor's Message. We give up much of our space to-day to the Message of Governor Holden. faithful chroniclers of events, its great length cannot deter us from giving to the of the end will appear. public the State papers of our Executive office, whatever may be its character. We have not the space to comment on this document, and we suppose all of our readers will avail themselves of the opportunity to read it. As the Message of the Governor of the State, it behooves us to give it that attention it merits, as questions of great State interests are discussed and some specific measures recommended. We may refer to them more in detail.

### The Legislature,

A quorum of the Senate appeared in their seats on Tuesday. The credentials of Messrs. Avery, Graham, Oates and Stevens were presented and referred to the Committee on Privileges and Elections. Subsequently the committee reported recommending that Messrs. Graham and Stevens be permitted to take their seats. Having examined Mr. Avery, they find that he was a Solicitor before and during the war, but had not taken an oath to support the Constitution of the United States, and that Mr. Oates was Sheriff before the war. The message was read and twenty copies for each member were ordered to be printed. Senate adjourned.

In the House, after reading the Governor's message, a resolution paying Sheriffs ten cents mileage while traveling to make election returns was debated and passed. The House adjourned.

### No More Rations.

city is the centre, it has been announced served out to negroes who have been fed the legal ability of the State can do so. since the war. It is reported that there We hope, therefore, there will be a large able claim. are ten thousand of the "wards of the government" in the Metropolis who would have starved if they had not been fed by the Bureau.

Just so. The services of the poor negroes will not be again required until 1872. In the meantime let them retire to the and equity have been abolished, and there can country, hire themselves to their former masters, eschew the city vagabond life practice and procedure to the General Assembly they have been leading, acquire habits of economy, lay by their small earnings, and of their labors from the Legislature, and also He stated that his last appointment—before submifted. in 1872 they may have learned who are really their best friends.

### What Next?

With the supposed conservative feelings those disfranchised, a majority of the white administration will be marked by moderation and justice to all sections and to all parties. Yet we have cause to fear that other councils will prevail. Already we see the beginning of a bitter strife between the two divisions of the Republican party for the control of the policy of the incoming administration, and we believe that the Radical wing will fortify themselves by forcibly making a two-thirds majority in the House of Representatives, even if they do not require pledges from General GRANT in advance of the meeting of the Electoral Colleges in the several States in December. By throwing out a few Democrats from Pennsylvania, Ohio and Indiana, whose seats are contested, and by refusing to admit the Democratic members from the Southern States, the work is done, and as supreme control over the President elect is secured as they now have over Mr. Johnson. And the disposition already evinced to do this very thing is the best evidence that the ultra men do not feel secure of the support of General Grant to their wild schemes of Radical reformation in national

But still it will not do to despise the ravings of such men as WENDELL PHILLIPS and General BUTLER. They are representative men and have most powerful support the people. These men and those they represent are determined to get control of General Grant's Administration and work it, or break with it and oppose it. As an continued agitation force the incoming administration to adopt or oppose his measures, which he believes, in either event, will make him master of the situa-

WENDELL PHILLIPS is more explicit in his declarations. He demands that reconstruction shall be reconstructed. The Constitution must be amended in order to the power to hold office in every State of the Southern negroes and "loyal" whites to support these measures and themselves in these possessions. In a word, he desires no peace until such antagonism is forced between the races in this section that one or the other will be

exterminated. We suppose something of the future policy of the successful party will be foresecond session of the Fortieth Congress. which soon meets, and in the personnel of GRANT's Cabinet. These are matters of the direct importance to the Southern peotrol, and we fear their interest, as we know their feelings, will not be consulted. If may be hurtful.

necessarily awaken a lively and anxious FAYETTEVILLE CORRESPONDENCE. interest among our people. However we may feel or act, Southern reconstruction, with a view to the future weal of the Re publican party, and without regard either to Southern interests or the welfare of the whole country, will be the apple of discord, and may yet prove the fatal rock upon which their party will be dashed to pieces. Congress will soon meet, and the beginning

The Result.

Our table to-day contains the complete hundred and seventy-six, which will be rewill be a Democratic stronghold.

us. We hoped for success. We shall ex- suitable subjects for criticism and the poramine the vote more in detail hereafter. traiture of the pen as the names and acts There are important lessons to be learned of private individuals-which latter are by from these figures, and we trust our people no means spared. The statement which I will be benefited by them.

### Code of Civil Procedure.

From the following letter from the Salisbury Old North State, it will be seen that it is proposed to hold a meeting of the course, I have no interest whatever. committee submitted the question of their Bench and Bar of the State, at Raleigh, for eligibility to the Senate. No action was the purpose of a full interchange of opin- been accepted by the Board of County taken beyond the qualifying of Mesers. ions as to what changes are necessary in Commissioners, and he is now regularly Graham and Stevens. The Governor's our Code. The letter emanates from a distinguished Republican officer under the Cumberland. His bondsmen are T. A. Government, and cannot be viewed as a Hendricks, J. R. Lee, and the irrepressiparty movement.

this matter. That change is necessary no nation decided emphatically against the K Cromartie la vyer or intelligent gentleman in the financial validity of the first and last of State will deny, and we know of no better these names, when affixed to any paper of of Directors of Union Theological Semi-In the district of which Washington since the people of North Carolina have upon the securities of this Cierk's bond, it decided to give the present system of laws is not believed that even the second bondsthat no more government rations are to be a fair trial, let them be perfected as far as man, J. R. Lee, would be found possessed tee to consider the report of this Seminary. Sustentation.

> attendance of the lawyers present on the occasion, and that something will be done Court on Monday, addressed the bar (and as Wilmington Presbytery, was submitted as possible, to reform some of the crying evils of our whoever else may have been at that time by Rev. J. B. McPherson, Stated Clerk of The Synod then took a recess until 7; present Code.

The letter is as follows:

Editor of the Old North State : only be one form of action for all suits, and three

gard in a "kindly spirit, and every effort direct-

I propose through your paper, that the Judges of the Supreme and Superior Courts of the State, of General Geant, and the fact that, with | together with the whole legal profession, meet in Raleigh, on Wednesday the 16th day of December next (the Legislature then being in session) and people of the United States voted against that they, together with our Commissioners, inter- the law avoided forfeiture and that equity were unprepared. him, we have reason to expect that his made in our laws. In this way, I take it, great abhorred it. I have been thus particular morialize the Legislature if necessary.

### ONE OF THE PROFESSION. From the National Intelligencer.

Agitation by Carpet-Baggers. The New York Tribune seems to have been sated with carpet-bag agitations to the sickening point. We copy :

"We have been asked to publish a call for a Washington city, December 9, then and there to necessary; the affair is at last ended, and consider what legislative or other action is needed nothing can be gained by longer agitao protect the lives, liberty and property of loyal ting it. itizens in the late rebel States.

esponsibly signed, and because we trust no such in efforts to secure peace and prosperity to the events, let us wait and note carefully the effect produced at the South by Gen. Grant's election Congress will need no promping to do what is right. Let us not provoke further turbulence and outrage by needlessly anticipating them.

quarter it does. We believe it may be of which there are only a small number, truthfully asserted that no one thing has contributed more to the public disturbances faith. Large numbers of every denominaand individual outrages in the South than | tion attended the services on Thursday the carpet-bag gentry. There may be evening, and Bishop Gibbons' sermon, a exceptions, but, as a general rule, they are He is the youngest Bishop in the United a set of people very little calculated to do States, being, to judge from his outward good. They came South for the purpose appearance, not more than thirty. A priest of fomenting discord among the races, and | will now be stationed here, and I predict in able journals and among the masses of they have very diligently pursued their that the Catholic Church will increase its undertaking. The editor of the Tribune may well imagine how much bad blood will be in your city this week, in attendance such men could stir up, and how much on Synod. In your walks in the street, mischief of various sorts they could do. agitator and fomenter of hatred Butler has If he would render a real service to peace been most successful, and has met with the and good order in the South, he could not, men you may make the same shrewd guess most flattering endorsement, although op- in a small way, more effectively achieve it as to their abiding place. If you wish to posed by the ablest and most influential than by calling home these pests. General hear a sermon which will well repay you portion of his party at home. He proposes to fill the place of Thap. Stevens, and by standing army, might fail on occasions to save these characters in remote districts town. He has a high reputation both as from being very summarily dealt with.

We suppose the Tribune knows the sort of characters we refer to. We do not mean The amount of cotton brought to market Northern men who come South to settle, to to date has fallen considerably below the make their homes here, to share our pros- expectation of buyers. In fact, I believe Dr. Baird. perity and adversity, and who will feel and that the cotton crop will fall very far betake an interest in promoting the common it has been very good, but perhaps not welfare. Such men are desirable acquisi- so in other parts of the State. But it is bestow on negroes the right of suffrage and tions, and will be welcome. But the mere certain that the business appearance of resolutions accompanying the Syncdical political adventurers who come for office, the confiscation of Southern lands for to be obtained by exciting had feelings a large amount of fine goods. Produce is division among the blacks, and the arming between blacks and whites; who have abundant and prices are declining a little. nothing, and intend to create nothing by The market is daily supplied with very fine honest industry, we trust even the editor beef. of the Tribune will excuse us for not loving and embracing them.

# Negro Women Voting in Mobile.

vember 13th, says: number of negro women were registered jority, but I'll be d-d if he got my vote!" shadowed in the legislation during the and voted. They were dressed up in men's The General himself roared with laughter Friday. clothing, and were found out after the at the reply. Mr. Dent is justly proud of election was over. They all voted the Rad- his Democracy. - Exchange.

A curious Enoch Arden case is reported ple, but one over which they have no con-trol, and we fear their interest, as we know ago, was shortly afterward forsaken by her husband, who emigrated to America. At gressman, and for corporation counsel, the end of nine years she married again, Abraham R. Lawrence, Jr., a distinguishthey are not altogether sacrificed we should the second husband, like the first, belong- ed member of the New York bar. Both be content. We should be patient lookers ing to the laboring class. Soon after this gentlemen were brought before the conon, anxious for our country's welfare, and the return of the first husband was reinterested for our own. Our support or ported; whereupon the woman, who had opposition is of no consequence, and either found secret, immediately disappeared and the most diligent search by both As this new warfare progresses it must husbands has failed to discover her retreat. an island in the James River the other day.

Delta and the Eagle-Collaban's Bond Judge Buxton\_Superior Court\_Bishop Gibbon\_Fayetteville and the synod-Rev. H. G. Hill Commercial Matters.

Dear Journal: - In my last I stated, in effect, that "notice had been served upon the proprietors of the Fayetteville ' Eagle' that a suit would be entered against them for libel and defamation of the character of Judge R. P. Buxton." As, upon inquiry, my information was received from two of official vote of the State, with the exception the proprietors of the Eagle, given, both of Yancey county. It will be seen that the times, before several persons, I had no Radical majority is twelve thousand four hesitation in furnishing the statement, as an item of news, to your columns. I said duced about two hundred by Yancey. It nothing about an official notification ; and will be seen that the gallant Durham is for this misconstruction of my mention of of the Fayetteville Presbytery, which was ined and recommended that they be elected by eighteen majority. Doubtless the supposed suit, and also for the change much fraud was practiced to defeat him, in the gramatical, arrangement of my and more will yet be attempted to deprive sentence alluding to it, the Eagle of the him of his seat, and may possibly succeed. 16th inst. (which contains a denial of the but the strength of Radicalism is broken fact) is responsible-1 am not. I did not in our Western counties. In the future it wish to create a false impression, but certainly, in journalism, the names of The result in the State has disappointed papers and the papers themselves are as made I have every good reason to believe E H Harding, Rey T H Johnston and Elder Geo to have been true. Whether the suit will really be brought or not, of course, I have no means of knowing, and in that, of

The bond of J. C. Collaban has at length installed as Clerk of the Superior Court of ble, boundlessly philanthropic and gener-We trust that something will be done in our Oliver H. Dockery. Previous examiplan than the one proposed. This is a importance; and should the necessity nary matter above party, affecting all. And hereafter arise for a demand by the law proceeded with. of the wherewithal to satisfy any consider-

planatory of his action with regard to the mittee on Bills and Overtures. appointment of the Clerk elect. He stated before men among whom all his life had announced and excuses heard. justice." In pursuance of our constitution many right to make, and which Collahan de- to the minutes. served, as a Clerk elected by a majority of the people, and as showing proof that, if to prepare a sketch of the life and labors has been very generally commented upon versy. And as I, in my correspondence, have not hesitated to condemn Judge Buxton's course very strongly, it is proper that pen an unprejudiced statement of the justification. My own opinion here is un-

Superior Court opened on Monday, and will continue two weeks. It was not at convention is required. The better part of those first thought that there would be a Fall term, but the Clerk having qualified, the in our late struggle seem now desirous to unite business could be carried on. The State death of Revs. Jno. D. Wilson and W. B. South and to the whole country. We trust those docket will consume the whole of this week, efforts, heartily seconded by those of General leaving the civil docket for the next. I which occurred during the next year. Grant and his supporters, will prevail. At all see here several members of the Wilmington bar, gentlemen of well known ability brief sketch of lives of each was ordered and legal reputation.

Last week a Catholic Bishop visited Tayetteville, and for the first time in many This is not a bad sign, coming from the months the Roman Catholics of this town, had an opportunity of worshipping God according to the observances of their own membership even in this place.

A good many Fayetteville Presbyterians wherever you meet a very beautiful girl. you may put her down as from Fayetteville; Rev. J. L. Wilson, D. D. and on encountering any particularly ugly

an orator and close reasoner. I can hardly form a reasonable or correct opinion upon trade in Fayetteville so far. low the general estimate; in this section Fayetteville has recently greatly improved. Agent's report. It has many handsome stores, containing

# mard Headed Old Democrat.

A few nights since a small party were assembled in Gen. Grant's parlor, among them Mr. Dent, his father-in-law, who A letter from Mobile, Ala., dated No- lives in Missouri. Some one asked him and gave a satisfactory excuse for tardihow Missouri had voted. The old man ness. The election passed off quietly here. A said : "She gives Grant ten thousand ma-

Nominations in New York, The Democratic Union City Convention vention and accepted the nominations. A. Oakley Hall, Esq., is spoken of as the Tammany nominee for mayor.

A duel with cork bullets took place on responding member.

Presbyterian Synod,

THURSDAY MORNING, NOV. 19. The Synod was called to order at 10 o'clock by the Moderator, Rev. D. D. was adopted. McBride, and opened with prayer.

After roll call the minutes of the session the night previous were read and adopted with a few corrections.

The excuses of absentees from the last

Synod were head. Excuses in writing from those not in attendance on this session were received and acted upon.

Statistical reports of the several Presby-

teries were called for and presented. Narratives of the state of religion of the several Presbyteries were also submitted and successively accepted and referred to the Committee on Narratives, except that Presbytery reported that they have examreferred to the Committee to prepare a pastoral letter to the several Churches. The following Committees were then an-

nounced by the Moderator :

On Bills and Overtures-Rev A Currie, Rev H A Monroe, Bev J Rumple and Elders, D McKin-non and T D Neal Junicial Committee-Rev R H Chapman, DD,

Rev N McKay Rev S C Alexander and Elders, Jno On the Minutes of Orange Presbytery-Rev J H Coble, Rev Colin Shaw and Elder A Baker On the Minutes of Concord Presbytery-Lev M McQueen, Rev D E Jordan and Elder Neill

W Wharton To Prepare an Address to the Churches on the

state of Religion in the bonds of the Synod-Rev A Miller, DD, Rev Jesse Rankin and Flder D F On Devotional Exercises-Rev H L Singleton, Rev M McQueen and Elder L McLaurin On Treasurer's Account-Rev D Fairley and Elders R J McDowell and Patrick Murphy On the Minutes of the General Assembly—Rev H L Singleton, Rev D E Jordan and Elder M

On Union Theloogical Seminary—Rev H L Singleton, Nev J Henry Smith and Elder J C On Leave of Absence-Rev David Fairly, Rev Colin Shaw and Eder L McLaurin

On the Report of the Trustees of the Synod-Rev J M Sherwood, Rev L McKinnon and Elder W The reading of the report of the Board of Viginia was called for and

On motion of Rev. Jacob Doll the report

An overture from the Fayetteville Pres-Judge Buxton, at the opening of tery from its present territory, to be known and report the same to the Synod as soon Court Judges. He had heard, with much in the Court-room) in a few remarks ex- that Presbytery, and referred to the Com- o'clock P. M.

Absentees from roll call at the close of that he felt it proper to do so, as he was the last annual session of the Synod were

been passed, and who could claim the Reports from the several Presbyteries on right to know the motives of his actions. Systematic Benevolence were called for and

from the profession, which they say they will re- the acceptance of the bond-was in effect | On motion, they were severally received an extension, which extension he had a and or leved to be printed in the appendix

The report of the committee appointed

allowed time, he could offer a sufficient of the late Rev. Robert Tate was called bond. He also pointed to the fact that for, but the committee reported that they A biographical sketch of the life and

benefit can be done our whole people. Let all in detailing the Judge's explanation of his labors of the late Rev. Jas. Phillips, D. D., attend for the accomplishment of good and meposition, for the reason that the matter was submitted by the chairman of the committee appointed for that purpose. On in this section of the State, and has formed motion, the report of the committee was the occasion for much feeling and contro- accepted and ordered to be spread upon

> the JOURNAL should publish by the same a memoir of the late Rev. A. Wilson, D. D., was called for, but deferred from want of publication. Similar sketches regarding the late

The report of the committee to prepare

Revs. Stephen Frontess and W. S. Pharr were read and submitted, and ordered to be filed with the papers of the Synod.

Rev. J. Rumple here announced the which occurred during the past year. A to be prepared and a committee appinted for that purpose.

The death of Rev. Daniel Johnston, of Fayetteville Presbytery, was also announced and a committee appointed to report on his life and labors.

The report of the Trustees of the Synod was then submitted and referred to the proper committee.

On motion, an address on Education by Rev. Dr. Hamner was made the special order of the day for the afternoon session. On motion the address on Publication,

by Rev. E. T. Baird, of Richmond, Va., was made the order for to-morrow, 11 o'clock. Following this will be an address on Sustentation and Foreign Missions, by

On motion of Rev. Mr. Davis, the Synod took a recess until 3 o'clock, P. M.

But little business was taansacted during Rev. Neill McKay, the Synodical Agent, submitted his report on Education with

accompanying resolutions. Lengthy addresses were then made on this subject by Rev. Dr. Hamner and Rev. the General Assembly was read by the

These occupied the entire afternoon accepted and ordered to be forwarded to session, and the Synod took a recess until the General Assembly. after evening service without action on the

### THURSDAY, Nov. 19. NIGHT SESSION.

The Synod met in accordance with adjournment for recess, and continued the discussion upon the subject of Education. Rev. G. W. McPhail, D. D., appeared

Adjourned, with prayer, until 94 A. M.

[THIRD DAY'S PROCEEDINGS.] FRIDAY, Nov. 20.

The Synod met and was opened with The roll was called and the minutes read and approved.

Elders Wm. A. Faison and John H.

Murphy, of Fayetteville, appeared and took their seats. Rev. J. G. Wilson, of the Synod of South Carolina, was invited to sit as cor-

The resignation of Elder D. A. Davis, of

his office of Treasurer of the Synod, was of the Agent of Sustentation were taken tendered by letter and accepted. A resolution of thanks for his faithful services

Elder Jesse H. Lindsay was chosen

Treasurer of the Synod. The report of the committee on Bills and Overtures, on the overture from Fayetteville Presbytery, praying for its division,

was accepted and adopted. The committee on the report of the Trustees of the Synod made their report

which was accepted and adopted.

Morganton was chosen as the place of the next meeting of the Synod, and Wednesday before the first Sabbath of October, 7 o'clock P. M., 1869, the time. The committee on the records of Orange

approved as far as written-to page 475. Their report was accepted and approved. The Synodical Agent of Publication read his report, which was accepted and referred to a Committee consisting of the several Presbyterial Agents, viz : Rev. Messrs. Fairley, Harding and Smith.

Rev. E. Thompson Baird, D. D., of Richmond, Va., then addressed the Synod, by invitation, on the subject of Publication, which consumed the remainder of the morning. Recess until 3 P. M.

### AFTERNOON SESSION.

The Synod met according to adjourn-

ment. The committee to whom was referred the report of the Synodical Agent of Pub lication and Colportage made their report,

which was accepted, and after being amended, was adopted. The report of Fayetteville Presbytery, on Systematic Benevolence, was received

and ordered to be spread on the minutes. The report of the Synodical Agent on Sustentation was read and received, and the Agent was requested to prepare an abstract for publication in the appendix to Solicitor was compelled by law to take an lie bills, and, therefore, the usual term of the minutes.

The Synod was then addressed by Rev. was accepted and referred to the Commit- J. L. Wilson, D. D., on the subject of

bytery for the formation of a new Presby. prepare a plan of systematic collections,

### [THIRD DAY'S PROCEEDINGS.] FRIDAY, Nov. 20.

NIGHT SESSION. After public worship the Synod met and took up the third order of the day, viz : to hear the report of the Synodical Agent of Foreign Mission. This was read, received and ordered to be spread in the appendix

to the minutes, and the resolutions ap-

pended were adopted. Rev. J. L. Wilson made an interesting Court makes a decision it was time address on the subject of Foreign Missions. The Synod adjourned, with prayer, until 9; o'clock A. M., Saturday.

## FOURTH DAY'S PROCEEDINGS.

SATURDAY, Nov. 21. The Synod met and was opened with prayer; the roll was called, and the minutes were read and approved.

It was resolved that the Synod will hereafter call upon Ruling Elders, in the same manner as upon Ministers, for their

was read and accepted, and the committee discharged.

The committee on the records of Concord Presbytery presented their report, part in the rebellion, and in all criminal or which was accepted and adopted.

The committee on the Minutes of the General Assembly submitted their report, which was read, accepted and adopted and it was ordered that the report should be read before the congregations by all the ministers.

The committee appointed to prepare a plan of systematic collections made their report, which was read and accepted .-After some earnest discussion, it was referred to a committee of seven to prepare a new report and present it at the next meeting of the Synod.

accepted and ordered to be printed in the appendix to the minutes, and in the North Carolina Presbyterian.

The unfinished business was then taken up, viz., the consideration of the resolution contained in the report of the Synodical Agent on Education.

Rev. G. W. McPhail, D. D., President of Davidson College, addressed the Synod in a stirring appeal in behalf of our Theological Students.

### AFTERNOON SESSION After recess the Synod met.

The Statistical Report of the Synod to Stated Clerk. On motion, the report was

The Stated Clerk was ordered to cause 1,000 copies of the minutes of the Synod to and administer caths. be printed. The committee on the minutes of Fay-

etteville Presbytery reported, approving said minutes as far as written. The report motion, it was lost by the following vote, was received and adopted.

On motion, the minutes of to-day's session were read thus far, corrected and ap-

The Chairman of the committee on the Treasurer's account read his report, which was received and adopted. The unfinished business, the first resolu-

tion of the committee on Education, was taken up, and, on motion, adopted. The second resolution was withdrawn; the third laid on the table, and the fourth adopted. They were then adopted as a whole as amended. On motion, it was resolved to place the

reports of Synodical Agents on the objects of benevolence at the disposal of the editor of the North Carolina Presbyterian for publication.

On motion, the order requiring agents Rich was unnecessary, as the action of the to furnish condensed abstracts for the Senate did not vacate the seat of Mr. minutes was rescinded. The resolutions appended to the report resolution.

up and the first and second adopted.

The motion to reconsider was drawn. On motion of Mr. Robbins the bills on On motion, resolution 5, page 12, of the calendar from last session were indef

the minutes of 1867, was rescinded. nitely postponed. On motion, the resolution fixing the time of meeting of the Synod was reconsidered, and the time fixed for the second Wednesday of October, 1869, at 7 o'clock, P. M.

The committee on the memorial of the late Rev. Robert Tate was continued.

A resolution in regard to furnishing the rooms of Davidson College was adopted, The committee on Devotional Exercises

It was then resolved that Rev. G. W McPhail, D. D., and others be heard upon the interests of Davidson College after public service to-night.

made a report and was discharged.

Leave of absence was granted to four members.

The Synod then took a recess until after public worship.

The night session was occupied principally by the addresses of Rev. G. W. Mc-Phail, D. D., and others in the interest of Davidson College.

After taking some action in this behalf. the Synod of 1868 adjourned sine die.

From the Raleigh Sentinel. LEGISLATURE OF NORTH CAROLINA

# SENATE.

WEDNESDAY, Nov. 18, 1868. UNFINISHED BUSINESS.

The motion of Mr. Respass to allow Mr. Avery, Senator elect from the 41st District, to qualify and take his seat, was considered.

Mr. Barrow desired information in reference to Mr. Avery's eligibility. Mr. Long, from the committee, stated that Mr. Avery had been before the committee, and they had learned from him that he had held the office of County Solicitor before and during the war, but had not taken any oath to support the Constitution of the United States, that he could

Mr. Barrow said that it was clear to him that any person having held the office of oath to support the Constitution of the advertisement had been dispensed with .-United States. The Senator does not remember whether he took the oath or notbut the presumption is that he did take the oath, as the law required. There was A committee of three was appointed to no doubt in his mind that the office of mittee on Internal Improvements. Solicitor was a judicial office, and it was | By Mr. Laffin : A bill to aid the Wil also the opinion of three of the Supreme suprise, that Judge Brooks had decided to the contrary, and had even gone so far as same committee. to decide that a magistrate was not a judicial officer. It was clear to his mind and personal property against judgments that the Senator was ineligible, and there- of any kind. Referred to the committee

fore he should vote against the motion. Mr. McLaughlin said it was equally clear to his mind that the office of County Solici- act entitled an act concerning the governtor was not a judicial or executive office of ment of counties. [This bill repeals the the State, but simply ministerial; and the question whether Mr. Avery did or did not take an oath was a matter of no moment. Senators are compelled to construe the enough to bring that matter up as eviby negroes, instead of a white constituency, he would have been admitted at once.

ground that he was casting reflections upon the motives of Senators.

thought, he would say nothing. Mr. Graham said it was a simple question and could be disposed of at once. The decision of Judge Brooks was that Magistrate was not a judicial officer of the State; then, can a County Solicitor, who is elected by the Magistrates of the The report of the Judicial committee county, be a judicial officer of the State? Certainly not. Neither is a member of the Legislature. He thought this proceeding rather a strange one. This is a criminal proceeding, because it is a part of the punishment of a certain class of men, who took

> capital cases the accused is certainly enti- his county were also waiting to have the neither a judicial nor executive office, but actual survey was required, and a report of simply ministerial. The Howard Amend- it to be made by the 1st day of January. ment was intended to reach the high officers of the government, such as Governor,

Judges, &c., and not County officers. Mr. Robbins said that he had always a special exception might be made. He found the Senate disposed to act fairly in therefore favored the motion to suspend matters of this kind, and thought they the rules, in order that all the counties would do so again. He said there was only | might be notified in due time that no surone point which ought to settle this mat- vey was actually required, and there was ter, and that was : Did he take an oath to no necessity of going to the expense of support the Constitution of the United having a map made out. States? If he did not, he is eligible.— There is a case here in this Senate similar | tion to the bill, only he was opposed upon The committee to prepare an address to \_a Senator who had held the office of So- principle to the rushing bills through the Churches read its report, which was licitor, but said he did not take the oath, and he was admitted. If you decide that it is a judicial office, you must prove that

Mr. Lindsay said that he was not one of those who looked upon Congress as an ille- ate passage of the bill. gal and unconstitutional body, but, on the

oath to support the Constitution of the act unadvisedly and precipitately in the United States; and if he did not take the matter. oath, he is not banned and should be admitted to his seat.

whole matter be referred back to the Committee, with the power to send for persons were called, and it was lost by a vote of

Those who voted in the affirmative were: Mesers. Barnes, Graham, Lindsay, Long, Love, Melchor, McLaughlin, Purdie, Respass, Robbins,

yeas 14, nays 22.

Winstead and Wilson-12.

Those who voted in the negative were: grove, Cook, Davis, Eaves, Etheridge, Eppes, colored, Forkner, Hyman, colored, Lassiter, Le g, Moore, of Carteret, Rich, Shoffner, Smith, Stephens, Weiker, White and Wynne—22. On motion of Mr. Robbins the action

until the 10th of December, as there was a probability of his disabilities being re-Mr. Rich moved a reconsideration of the vote in reference to Mr. Avery, in order to postpone any further action until the 10th of December, so as to allow him an oppor-

tunity to get his alleged disabilities removed. Mr. Moore, of Carteret, moved to lay that motion on the table. The Chair stated that the motion of Mr. Counties and Townships be raised, consisting of one from each Judicial District Carried. By the same : A resolution to instruct the committee on Privileges and Elections to inquire if there be any members of the

WEDNESDAY, Nov. 18, 1868

House laboring under disabilities imposed by the 14th Article. Carried. The Chair announced that as there were many new members he would, if there was

On motion of Mr. Welker the Senate ad.

HOUSE OF REPRESENTATIVES

Mr. French moved that a committee on

journed until to-morrow, 11 o'clock.

no objection, revise the Standing Com. mittees. Mr. French moved that the Speaker b authorized to make such changes in the committees as he may deem necessary.

Mr. Laffin raised a point of order, that

when the Chairman was elected to his

office he appointed the committees, and of course, during the term of his office, his appointments held good. The Chair sustained the point, saying that the committees would remain substant tially the same, and the only alterations made would be to place the new members on proper committees. But, under the

rules, for a motion to make any alteration in Standing Committees, a day's notice should be given. Mr. French withdraw his motion. By Mr. French: A bill to amend the charter of the Green Swamp Co. [This bill allows the Company to increase their capi-

tal stock to a sum not exceeding \$500,000 \$100 a share. The Chair wished to know if the question put to the Judiciary committee, last session, whether bills of this kind were of a public or private nature, had been de-

Mr. Seymour, on the part of that committee, said that it had been decided, at first, that they were private bills and required the usual notice, but at the instigation of members of former Legislatures, it was concluded that bills of this character. which involved the interests of so many different parties, should be treated as pub His own opinion was that it was a private

After some discussion the bill was, ou motion of Mr. Gunter, referred to the commington and Weldon Railroad Co. in constructing Branch Roads. The bill was read and returned to the

By Mr. Ingram : A bill to exempt real on the Judiciary. By Mr. Bowman: A bill to amend an

provisions of section 14, that require the

Commissioners of each county to cause a survey and have a map of their counties. Mr. Bowman said that, according to law, laws as they understand them, and he did the Commissioners were bound to make not think much reliance should be placed report by the 1st of January. He though on flying rumors as to the opinion of the whole thing would impose a great and Supreme Court Judges. When the Supreme | very unnecessary expense upon the counties. There was some difference of opinion as to whether or not an actual survey was dence. If the Senator had been elected required by law, and the Commissioners of his county were at a stand still in the matter. As the law required a report from the The Chair called him to order, on the Commissioners by the 1st of January, he thought the House should take action at

once. He moved to suspend the rules and Mr. McLaughlin took his seat, remark- put the bill on its several readings. ing that if he could not speak what he Mr. Seymour said he objected, at this early stage of the session, to the suspension of the rules, in order to rush bills through. He did not see why the bill

could not go on the calendar. Mr. Sinclair concurred with the gentle man from Mitchell, (Mr. Bowman,) and said he regarded the whole matter as entailing a large and useless expense upon the people of the various counties. It had been the express wish of his constituents that some such bill be passed, and the Commissioners of his county were now

Mr. Bowman said the Commissioners of matter settled, in order to know what He held that the office of Solicitor is course to pursue. They thought that an Mr. Pou said that, in the main, he agreed with the gentleman from Craven (Mr. Sey

mour), but he thought this a case in which

awaiting the action of the House.

Mr. Seymour said he had no real object

without proper examination. Mr. Sinclair read the law upon the subject, and took the ground that both the he took the oath. He is willing to swear survey and map were required. The Comthat he did not, and, if you do not admit missioners of his county were about closing him, you impeach his veracity and insult a bargain with a Surveyor to do the work which would probably cost some \$600 or \$700. Therefore he favored the immedi

Mr. Gatling agreed with the gentleman contrary, believed it to be a legal and con- from Craven (Mr. Seymour). He had fel stitutional body; but he did not look upon | the effects last session of such hasty action Congress as the Constitution of the United | in regard to bills that required mature con States, It was clear, from the Howard sideration. He would oppose all motions amendment, that it is taking the oath which to suspend rules in order to pass bills that After much discussion, recess was taken bans, and not simply holding the office. - required a careful examination, unless it The Senator, Mr. Avery, he had under- can be fully shown it is an urgent and pre stood, was elected to the office of Solicitor | sing matter. The fact of this bill being only two weeks before the State seceded, on the Calendar, and the notice taken of it and it is not to be supposed that a Seces- by the newspapers, would be notice suffision county would compel him to take an cient to the County Commissioners not to

Mr. Bowman replied that the action of this body to day would inform them that Mr. Jones, of Wake, moved that the the matter was being debated, and that, probably, something would be done, but how are they to tell what? Suppose the House should finally take no action, after Upon this motion, the yeas and nays debating the matter for weeks. The Commissioners would have no time to perform their duties, and thus be liable to an in-

The question recurring on Mr. Respass' dictment. Mr. Stilley opposed the suspension of the rules, and moved to postpone the matuntil to-morrow morning 12 o'clock.

Mr. Bowman opposed the motion. He said the time was short and he wished to notify the Commissioners in due season,-It would almost take all the time between Messrs Barrow, Bellamy, Burns, Blythe, Col- this and the first of January to get the news

Mr. Parker opposed the motion to suspend and favored the postponement Mr. Laffin thought the Constitution settled the matter of the Surveys, Maps, in reference to Mr. Oates was postponed Reports, &c., and did not see how this body could take action in the matter now. After some further debate, Mr. Stilley's

motion to postpone was put and carried. Mr. Renfrow moved to adjourn until tomorrow morning 11 o'clock. Mr. French moved to amend by saying

Mr. Renfrow accepted, but ithe motion, as amended was put and lost. Mr. French moved that when the House adjourn, it adjourn to meet at 10 A. M .-

On motion of Mr. Ragland, the House Avery. That would require a separate then adjourned until to-morrow morning

10 o'clock.